



200410260120

Skagit County Auditor

10/26/2004 Page 1 of 3 3:02PM

DEED OF RIGHT TO USE LAND FOR PUBLIC RECREATION PURPOSES

The Grantor, **Skagit County**, for and in consideration of monies coming in whole or in part from the Outdoor Recreation Account of the General Fund of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of all the people of the State, the right to use the real property described below forever for the outdoor recreation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation entitled **Centennial Trail Hwy. 9, WWRP-Trails** Project Number **91-157 A** signed by the Grantor on the **14th** day of **January, 1991** and the Interagency Committee on the **29th** day of **November, 1990** and the application and supporting materials which are on file with the Grantor and the state in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for public outdoor recreation herein granted unless the state, through the Interagency Committee for Outdoor Recreation or its successors, consents to the inconsistent use, which consent shall be granted only upon fair market value at the time of change of use and of as nearly as feasible equivalent usefulness and location for the public recreation purposes for which state assistance was originally granted will be substituted in the manner provided in RCW 79A.24.100 for marine recreation land, whether or not the real property covered by this deed is marine recreation land. RCW 79A.25.100 reads as follows:

"Marine recreation land with respect to which money has been expended under RCW 43.99.080 (recodified as RCW 79A.25.080) shall not, without the approval of the committee, be converted to uses other than those for which such expenditure was originally approved. The committee shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location."

The real property covered by this deed is described as follows:

P109916 etal

The southerly one-half portion of the 100-foot wide strip of land through the southeast one-quarter of section II, Township 34 North, Range 4 East W.M. as conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed recorded June 2, 1890, in Volume 10 of Deeds, pages 574-577, records of Skagit County, Washington. And further described as the southerly one-half of the 100-foot wide strip of land which is the extension of the northerly boundary of that real estate conveyed to Walter A. O'Neill and Helen I. O'Neill, husband and wife, Deed dated 3/28/69, Auditor's File No. 727615 records of Skagit County, Washington.

The easterly one-half of a portion of that certain 100-foot wide strip of land conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed recorded July 12, 1890, in Volume 10 of Deeds, page 651, records of Skagit County, Washington, through the northwest one-quarter of Section 14, Township 34 North, Range 4 East W.M. And further described as the easterly one-half of that 100-foot wide strip of land which is the extension of the westerly boundaries of that real estate conveyed to the Hobbick County Trust, dated 6/30/93, Herman C. Hobbick and Nedra J. Hobbick, Trustor and Trustee by Deed dated 6/30/93, Auditor's File No. 9406030126, records of Skagit County, Washington.

The easterly one-half of that certain 100-foot wide railroad strip of land conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed recorded July 12, 1890, in Volume 10 of Deeds, page 651, records of Skagit County, Washington, through the northwest one-quarter of Section 14, Township 34 North, Range 4 East, W.M. And further described as that certain 100 foot wide strip of land which is the extension of the westerly boundary of that real estate conveyed to Catapult Heavy Construction, Inc, by Deed dated 11/3/86, Auditor's File No. 8611040084, records of Skagit County, Washington.

The westerly half of a portion of that certain 100-foot wide strip of land through the southwest quarter of the northwest quarter of Section 25, Township 34 North, Range 4 East W.M., as conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed recorded May 1, 1890, in Volume 9 of Deed, page 750, records of Skagit County, Washington. And further described as that westerly one-half of a portion of that certain 100-foot wide strip of land which is the extension of the easterly boundaries of that real estate conveyed to John P. Snyder and Laurene M. Snyder, husband and wife in Deed dated 7/12/89, Auditors File No. 8907180079, records of Skagit County, Washington.

The southerly one-half of the portion of the 100-foot wide strip of land across the southeast one-quarter of the southwest one-quarter and the southeast one-quarter of Section 11 in Township 34 North, Range 4 East W.M. conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed recorded June 2, 1890, in Volume 10 of Deeds, pages 574 and 577 records of Skagit County, Washington. And further described as the southerly on-half of the portion of the 100-foot wide strip of land which is the extension of the northerly boundaries of that real estate conveyed to

Lennard L. Thompson, a single man, by Deed dated February 23, 1996, Auditor's File No. 9603010035, records of Skagit County, Washington.

The portion of the southerly one-half of the 100-foot wide strip of land through the southeast one-quarter of Section 11, Township 34 North, Range 4 East W.M., as conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed, recorded June 2, 1890, in volume 10 of Deeds, pages 574 and 577, records of Skagit County, Washington. And further described as that southerly one-half of the 100-foot wide strip of land which is the extension of the northerly boundary of that real estate conveyed to Dal B. Farias, III, by deed dated July 22, 1988, Auditor's File No. 8808020039, records of Skagit County, Washington.

The southerly one-half of the portion of the 100-foot wide strip of land across the southeast one-quarter of the southwest one-quarter and the southeast one-quarter of Section 11 in Township 34 North, Range 4 East W.M., conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed recorded June 2, 1890, in Volume 10 of Deeds, pages 574 and 577 records of Skagit County, Washington. And further described as the southerly one-half of the portion of the 100-foot wide strip of land which is the extension of the northerly boundaries of that said real estate conveyed to Charles R. Eacret, an unmarried person, by Deed dated July 26, 1995, Auditor's File No. 9508030039, records of Skagit County, Washington.

The westerly half of portion of that certain 100-foot wide strip of land through the southwest quarter of the northwest quarter of Section 25, Township 34 North, Range 4 East W.M., as conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed recorded May 12, 1890, in Volumes 9 of Deeds, pages 750, records of Skagit County, Washington. And further described as that westerly one-half of that 100-foot wide strip of land which is the extension of the easterly boundaries of that real estate conveyed to Gerald R. Severson and Marjorie G. Severson, husband and wife by Deed dated 11/15/89, Auditor's File No. 8911210106, records of Skagit County, Washington.

That portion of the 100-foot wide strip of land across the southeast one-quarter of section 11, Township 34 North, Range 4 East W.M., conveyed to the Seattle Lake Shore and Eastern Railway Company by Deed dated April 22, 1890 and recorded April 22, 1890, in Volume 11 of deeds, pages 574 and 577 records of Skagit County, Washington. And further described as that 100-foot wide strip of land which is the extension of the northerly boundary of that real estate conveyed to Doug B VanDeGrift, by Deed dated 4/21/95, Auditor's File No. 9504210109, records of Skagit County, Washington.

The easterly one-half of that certain 100-foot wide railroad strip of land conveyed to the Seattle Lake Shore and Eastern Railway Company by Deeds, page 651, records of Skagit County, Washington, through the northwest one-quarter of Section 14, Township 34 North, Range East, W.M. And further described as that easterly one-half of that certain 100-foot strip of land which is the extension of the westerly boundary of that real estate conveyed to Mike and Linda Cheek, husband and wife, by Deed dated 10/24/88, Auditor's File No. 8810250084, records of Skagit County, Washington.

A portion of the northerly one-half of the 100-foot wide strip of land through the south one half of the southwest one-quarter of Section 12, Township 34 North, Range 4 East, as conveyed to Seattle Lake Shore and Eastern Railway Company by deed recorded June 2, 1890, in Volume 10 of deeds pages 574 and 577, records of Skagit County. And further described as the northerly one-half of the 100-foot wide strip of land which is the extension of the southerly boundary of that real estate conveyed to Robert A. Wilcox and Patricia A. Wilcox by deed dated 10/12/82 Auditor's file No. 8210120034, records of Skagit County, Washington. Together with the westerly half of a portion of that certain 100-foot wide strip of land through both the southwest quarter of the northeast quarter and Government Lot 1, of Section 12, Township 34 North, Range 4 East, as conveyed to the Seattle Lake Shore and Eastern Railway Company by deeds recorded May 12, 1890, and July 11, 1890, in Volume 11 and 10 of deeds, pages 425 and 647, respectively, records of Skagit County, Washington. And further described as that westerly one-half of that 100-foot wide strip of land which is the extension of the easterly boundary of that real estate conveyed to the Robert and Jean Timmins Family Trust, Robert C. Timmins and Jean Ann Timmins, Trustees, by deed dated 10-23-95, Auditor's File No. 9510250066, records of Skagit County, Washington. Together with a portion of the northerly one-half of the 100-foot wide strip of land through the south one-half of the southwest one-quarter of Section 12, Township 34 North, Range 4 East, as conveyed to Seattle Lake Shore and Eastern Railway Company by deed recorded June 2, 1890, in Volume 10 of deeds, pages 574-577, records of Skagit County. And further described as the northerly one-half of the 100-foot strip of land which is the extension of the southerly boundary of that real estate conveyed to William Ray Wilcox and Jean Wilcox, husband and wife, by deed dated 5/27/69, AF #727111. Together with the westerly one-half of a portion of that certain 100-foot strip of land through the northwest quarter of Section 12, Township 34 North, Range 4 East, as conveyed to the Seattle Lake Shore and Eastern Railway Company by deed dated August 10, 1890, and recorded December 9, 1890, in Volume 14 of deeds, page 433, records of Skagit County, Washington. And further described as that westerly one-half of a portion of that certain 100-foot wide strip of land which is the extension of the easterly boundary of that real estate conveyed to John Clifford Matterand by deed dated 9/7/83 AF#8309200010, Records of Skagit County. Together with the westerly half of a portion of that certain 100-foot strip of land through both the southwest quarter of the northeast half and Government Lot 1, of Section 12, Township 34 North, Range 4 East, as conveyed to the Seattle Lake Shore and Eastern Railway Company by deeds recorded May 12, 1890 and July 11, 1890, in Volume 11 and 10 of deeds, pages 435 and 647 respectively, records of Skagit County; and further described as that easterly one-half of that 100-foot wide strip of land which is the extension of the westerly boundary of that real estate conveyed to Roberta S. Shaw, a single person, and Ralph W. Sawyer, a single person, east to an undivided one-half interest dated 3/29/95, Auditor's file No. 9503290169, records of Skagit County.

AND 100 foot right of way over NW1/4 SW1/4; except portion said right of way lying in the northeast 1/4 of the northwest 1/4 in the northwest 1/4 of the northwest 1/4 and except easterly 1/2 said right of way lying in the southwest 1/4 of the northwest 1/4 and except easterly 1/2 of said right of way lying east of Highway 9 in the southwest 1/4. Also together with the recorded on AF#9706200043 following described property: the westerly one-half of a portion of that certain 100-foot railroad strip of land through the NW1/4 of Section 25, Township 34 North, Range 4 East as conveyed to the Seattle Lake Shore and Eastern Railway Company by deed recorded May 12, 1890, in Volume 9 of deeds at page 750,



200410260120
Skagit County Auditor

records of Skagit County, the westerly one-half of a portion of that certain 100-foot railroad strip of land through the SW1/4 of Section 25, Township 34 North, Range 4 East, as conveyed to the Seattle Lake Shore and Eastern Railway Company. And further described as that westerly one-half of a portion of that certain 100-foot wide strip of land which is the extension of the easterly boundary of that real estate conveyed to Lloyd Brown and Wendy Brown, husband and wife on July 21, 1988, AF#8808010085 records of Skagit County. Also described as that westerly one-half of a portion of that certain 100-foot wide strip of land which is the extension of the easterly boundary of that real estate conveyed to Lloyd J. Brown and Wendy B. Brown, husband and wife, on July 12, 1989, AF#8907250044 records of Skagit County. Also together with following description recorded on AF#9706200042, the westerly one-half of a portion of that certain 100-foot railroad strip of land through the NW1/4 of Section 25, Township 34 North, Range 4 East, as conveyed to the Seattle Lake Shore and Eastern Railway Company by deed recorded May 12, 1890, in Volume 9 of deeds at page 750, records of Skagit County. The westerly one-half of a portion of that certain 100-foot railroad strip of land through the SW1/4 of Section 25, Township 34 North, Range 4 East, as conveyed to the Seattle Lake Shore and Eastern Railway Company. And further described as that westerly one-half of a portion of that certain 100-foot wide strip of land which is the extension of the easterly boundary of that real estate conveyed to Gregory A. Peck, a single man on July 8, 1976, AF#838797 records of Skagit County.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

Dated this 26th day of OCTOBER, 2004

By: Robert W Vaux, Skagit County Parks and Recreation Director

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

OCT 26 2004

Attest:

B. A.

Amount Paid
By Skagit Co. Treasurer
Deputy

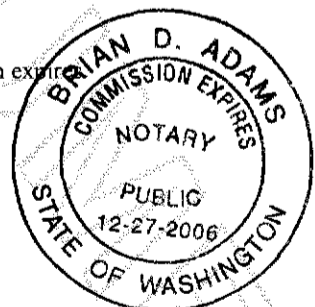
State of Washington)
:SS.
County of Skagit)

THIS IS TO CERTIFY that on this 26th day of OCTOBER, 2004, before me the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared ROBERT W VAUX to me. This individual is known to be the PARKS DIRECTOR of the SKAGIT COUNTY PARKS + REC DEPT. that executed the foregoing deed and acknowledged to me that they signed and sealed the same as the free and voluntary act and deed of said ROBERT W VAUX and on oath stated that they were authorized to execute said instrument and that the seal affixed is the seal of said

WITNESS my hand and official seal the day and year in this certificate first above written.

Notary Public in and for the State of Washington, residing in Skagit County. My commission expires

DECEMBER 27, 2006



200410260120
Skagit County Auditor